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SCS #1470

Vindications of Ministers & Elders
proceedings of ye parliament vindica
the Course of Conformitie

Thomas F. Torrance

SCB #1470

VINDICATION

OF THE

Miniſters and Ruling Elders

OF THE

CHURCH

OF

SCOTLAND,

Who have taken the ABJURATION:

WHEREIN

It is made Evident, that they are not thereby Engaged in their Stations, to oblige the Succeſſor, when He comes to the Crown, to Join in Communion with the

CHURCH of ENGLAND,

As ſome Ignorant People are made to Believe.

EDINBURGH, Printed by *John Moncur*, at the Foot of the Bull Cloſs, and Sold by the Bookſellers in *Edinburgh*, *Glaſgow* and *Aberdeen*. 1713.

A

VINDICATION

OF THE

Ministers and Ruling Elders of the Church

OF

SCOTLAND, &c.

THE only Objection, that I know, against the Abjuration, that is worth the Noticing, is, That it referrs to two Acts of Parliament, one of which contains several Proviso's, as they are call'd, the first of which imports, That the *Successor*, when he comes to the Crown, shall join in Communion with the Church of *England*. Hence it is Inferr'd by some, that they who take the Abjuration, Engage to do what in them lies in their Station to necessitate the *Successor*, when he comes to the Possession of the Crown, to join in Communion with that Church, and consequently, take an Unlawful Oath, and contrary to *Presbyterian* Principles. If these Presbyterians, whither Ministers or others, who have taken the *Abjuration*, have indeed Sworn to Oblige the Successor to join in Communion with the Church of *England*, when he comes to the Crown; For my part, that they have Sworn Sinfully, is what I shall not *Debate*, but whither they have Sworn so to do, we are here to

ake to Consideration, and Examine. The words of the Oath re as follows.

And I do faithfully promise to the outmost of my Power, to Support, Maintain and Defend the Succession of the Crown, as the same is, and stands Settled by an Act Intituled, &c. And as the same by another Act Intituled, &c. Is, and Stands Settled and Entailed to the Princess Sophia *and her Heirs being Protestants, &c.*

And in the Second of these Acts referred to, there are seveal Proviso's, the first of which is, *Whosoever shall hereafter come o the Possession of the Crown, shall join in Communion with the Church of* England *as by Law Established.* Now they who preend, that these who take the Abjuration, Promise to Oblige he Successor, when he comes to the Crown, to join in Comunion with the Church of *England*, must found on such an rgument as this, *viz.*

They who take the Abjuration, Promise to maintain the Succsion of the Crown, as it is Entailed to Princess *Sophia* and her leirs, by the two Acts referred to.

But in one of these Acts referred to, there are several Provi-'s, and one particularly, which obliges her, when she comes o the Crown, to join in Communion with the Church of *England.* Therefore,

They who take the Abjuration, promise to Oblige Princess *Sophia*, when she comes to the Crown, to join in Communion ith the Church of *England.*

Which Argument Imports, that they who take the Abjuraon promise to maintain the Proviso's, and make them effectu, because they are contain'd in the Act, by which the Succesi is Entail'd to Princess *Sophia.* But that will not follow. If e should promise to maintain the *Confession of Faith, as it is, nd stands Ratified*, in the 5th Act of the 2d Session of K. *Willi-n's* and Q. *Mary's* first Parliament, we would not thereby proise to maintain all the other things contain'd in, or that might ve been insert into that Act of Parliament.

Neither

Neither will it mend the matter, that is, Prove that they who take the Abjuration, promiſe to maintain the Proviſo's, if the Argument be formed after this manner,

They who take the Abjuration, promiſe to maintain the Succeſsion of the Crown, as the ſame is Entail'd to Princeſs *Sophia* by the Act Referred to.

But by that Act, the Succeſsion is Entail'd to P. *Sophia*, on condition, that ſhe join in Communion with the Church of *England*. Therefore,

They who take the Abjuration, promiſe to Oblige P. *Sophia* to join in Communion with the Church of *England*.

For, it is utterly falſe, that by the Act the Succeſsion of the Crown is Entailed to P. *Sophia*, on condition that ſhe join in Communion with the Church of *England*; that is neither ſaid in the Act, nor can any ſuch thing be iuferr'd therefrom. She indeed is oblig'd by the Act to join in Communion with the Church of *England*, after the Succeſſion which is Entailed to Her has taken effect, or when She is come to the Crown: But that has no Relation to the Entail of the Succeſſion, which is the only thing in the Act, they who have taken the Abjuration are obliged to Maintain and Defend. It is granted, that to join in Communion with the Church of *England*, is what She is obliged to by the Act, or what is Required of Her by a Clauſe of the ſame, when the Succeſſion has taken effect, by Her being put in Poſſeſſion; But it will not thence follow, that it is a Condition of the Succeſſion, or Entail of the Crown to Her; For that only is a Condition of the Succeſſion, which is requir'd in order to be pitched on or nominated Succeſſor, or which is neceſſary to the Succeſsion's taking effect, and not that which is only to be performed by the Poſſeſſor. And it will no more follow, that to join in Communion with the Church of *England*, is a condition of the Succeſsion, becauſe it is requir'd of the Succeſſor, after he comes to Poſſeſsion; than it will follow, that Good Works are the Condition of Juſtification, becauſe they are requir'd in the Perſon Juſtified.

And as little will it follow, that they who take the Abjuration, will have any hand in Ingaging the Succeſſor in the Communion

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They who take the Abjuration, Promise to maintain the Sucession of the Crown, as it is Entailed to Princess *Sophia* and her leirs, by the two Acts referred to.

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Communion with that Church, will ensue upon their Maintaining and Supporting the Succession as settled in the *Act*, and their making the same effectual. The *British* and *Dutch* entered into a Confederacy with others to Maintain and Support the Succession of the Crown of *Spain* against *France*, as Entail'd to *Charles* now Emperor: And if they had made that Succession effectual, *Charles* would have been oblig'd, when he came to the Possession of that Crown, to Invocate the Virgin *Mary*, Saints and Angels, and Worship the Hostie: But *Charles's* Invocating the Virgin and Worshiping the Hostie, would not have been from the *British* and *Dutch*, or their making effectual that Succession, but from the *Spanish* Laws, which lay such Obligations on whosoever shall come to the Possession of the Crown there. In like manner, the Successor's joining in Communion with the Church of *England*, will not be from the Abjuration, or these that take it, That is, will not be from their Supporting and Maintaining the Succession, as settled in the Act, and their making the same effectual; But from the *English* Laws, and particularly, the first of these Proviso's in this Act we are Speaking of.

Now from what has been said, I think it sufficiently evident, that it doth not appear, and cannot be Proven, that they who take the *Abjuration*, are engaged thereby to make effectual the Proviso's, or have Promised, to oblige the Successor when He or She comes to the Crown, to join in Communion with the Church of *England*. And tho' this may be thought sufficient to Vindicat these who have taken that Oath, yet that it may appear more fully, that Blaming them as having done something not very consonant with Presbyterian Principles, is only the effect of want of Consideration, and Zeal without Knowledge, I shall set before you the following *Arguments*.

1*st*. They who take the *Abjuration*, Promise to Support, Maintain and Defend the Succession of the Crown, as the same is, and stands Settled by an *Act* Entituled, *An Act Declaring the Rights and Liberties of the Subjects, &c.* And as the same, by another *Act* Entituled, *An Act for the further Limitation*

of

of the Crown, &c. Is, & ſtands Settled & Entailed, &c. The 2d. of theſe *Acts*, contains ſeveral Proviſo's; as, *That the Succeſſor when come to Poſſeſſion of the Crown, ſhall join in Communion with the Church of* England: *That He ſhall not go out of the Dominions of* England, Scotland *and* Ireland, *without conſent of Parliament, &c.* And in the firſt *Act*, many things are Declared to belong to the Rights and Liberties of the Subjects, as, *That the Commiſſion for Erecting the late Court of Commiſſioners for Eccleſiaſtical Cauſes, and all other Commiſſions and Courts of like nature, are Illegal and Pernicious: That Exceſſive Bail ought not to be required, nor Exceſſive Fines Impoſed, nor Cruel nor Unuſual Puniſhments Inflicted, &c.* And if the Succeſſor be obliged to Obſerve the Proviſo's in the ſecond *Act*, He is no leſs obliged to have regard to theſe Declarations in the firſt *Act*. And whatever Reaſon can be adduced to prove that they who take the Abjuration, are engaged to do what in them lies, to oblige the Succeſſor to Obſerve the Proviſo's in the ſecond *Act*, the ſame Reaſon will Prove they are engaged to do what in them lies to Oblige Him to obſerve the Declarations contain'd in the firſt *Act*. Are the Proviſo's ſet down beſide the Limitations of the Succeſsion in the ſecond *Act*? So are the Declarations ſet down beſide them in the firſt *Act*. And if they who take the Abjuration, Promiſe to Maintain the Succeſſion, as it is, and ſtands Settled and Entailed in the one *Act*, they do alſo promiſe to Maintain the Succeſsion as it is, and ſtands Settled by the other *Act*. &c. But none that we know of pretend, and it is Evident form the Nature of the thing, that they who take the Abjuration, are not thereby engaged to do what in them lyes in their Station, that the Succeſſor, when he comes to the Crown, fulfill the Declarations concerning the Rights and Liberties of the Subjects, contained in the firſt Act; and by the ſame Reaſon it is evident, that they who take the Abjuration, are not thereby engaged to oblidge the Succeſſor, when he comes to the Crown, to fulfil the Proviſo's in the ſecond *Act*. In a word, theſe Declarations or Articles in the firſt Act have no Relation to the Succeſſion, wherefore if it be ſaid, that they who take the Abjuration, Swear to theſe Declarations or *Articles*, it muſt be ſaid

they Swear to them meerly for this Reaſon, becauſe they are in the ſame *Act*, and ſet down in the ſame Page or Leaf of Paper, beſide the Limitation or Settlement of the Succeſſion; and they who will Aſſert that, may alſo *Aſſert* and with as much ſhew of Reaſon, that the takers of the Abjuration, have Sworn to all the *Engliſh* Acts of Parliament, becauſe they are ſet down in the ſame Volume of a Book with or beſide this *Act*, and Limitation or Settlement of the Succeſſion therein. It being evident then, that they who take the Abjuration, are concerned with no more in the firſt Act, but the Maintenance of the Succeſſion to the Crown Settled therein: It is by the ſame Reaſon evident, that they are concerned with no more in the ſecond Act, but the Maintainance of the Succeſſion Entailed and further Limited therein: and conſequently, they do not promiſe to ſee the Proviſo's fulfilled, or to oblige the Succeſſor to joyn in Communion with the Church of *England*, when he comes to the Poſſeſſion of the Crown.

(2) They who take the Abjuration, promiſe to maintain the Succeſſion of the Crown, as is evident from the expreſs words thereof. *And I do faithfully promiſe to the outmoſt of my power, to Support, maintain and defend the Succeſſion of the Crown, &c.* Hence it is evident, that by the Abjuration, they are not obliged to make effectual, any thing but the *Succeſſion* or that which belongs thereto, and is a Condition thereof on which it doth depend. But the Proviſo's in the Second *Act* (and particularly, the Succeſſor's being obliged, when in Poſſeſſion, to joyn in Communion with the Church of *England*) belong not to the Succeſſion, and are not Conditions thereof on which it doth depend, but only things (by virtue of the *Engliſh* Laws, and this *Act* in particular) Incumbent on the Succeſſor, after the Succeſſion hath taken effect, by his being ſet on the Throne. This is evident, becauſe if the Proviſo's were Conditions of the Succeſſion, either of the Entailing it, or of the Compleating it by putting in Poſſeſſion, *P. Sophia* had been obliged to fulfil them, either before the Succeſſion could have been Entailed to her and her Heirs, or before it could be Compleated by her being put in Poſſeſſion, of the Crown. Thus if Faith be the Condition

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of Justification, we must believe before we can be Justified. But so it is, that it is not Incumbent on the Successor, to observe the Proviso's, till after the Succession has taken effect, that is, till he or she be in actual Possession of the Crown. This is clear from the expres's words of the *Act*, which Run thus, *That whosoever shall hereafter come to the Possession of the Crown shall joyn in Communion with the Church of* England. *And* the fourth Proviso is thus, *That from and after the time that the further Limitation by this Act shall take effect*, &c. *And* you know that the Succesion hath been Entailed to *P: Sophia* several years ago, yet she does not joyn in the Communion with the Church of *England*, nor is obliged before she be put in Possesion of the Crown: *And* the rest of the Proviso's cannot posibly be observed by her, but when she is Queen actually, *ex gr:* the third, which is, *That no Person who shall hereafter come to the Possession of this Crown shall go out of the Dominions of* England, Scotland *and* Ireland *without consent of Parliament.* *And* so of the rest. Now seeing they who take the *Abjuration*, promise only to maintain the *Succesion*, that is, to maintain it now, and to compleat it, by bringing the Successor to the Throne in due time, so that when he once comes there, they have no more to do with him by virtue of any Obligation from the Oath of *Abjuration*; and seeing the Proviso's, neither belong to the *Succesion*, nor are Conditions thereof, but are things Incumbent on the *Possessor*, things to be observed by the *Successor* after he is come to the Crown; what is more plain than that they who take the Abjuration, are not engaged to oblige the Successor to observe the Proviso's, after he is come to the Crown. In a word, it can never be pretended, that the Proviso's belong to the *Succession*, or are conditions thereof, unless it be said that the Parliament hath made them such, and that cannot be said but for one of these two Reasons, either 1. Because the Parliament hath set them down in the same Act and page, beside the Entail of the Succession. Or 2. Because they are things which the Parliament requires in the Successor, after he becomes Possessor. *As* to the first it is Rediculous, and not worth the noticing. As to the second, if it be said, they are

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conditions of the Succeſſion, becauſe the Parliament requires them in the Succeſſor after he becomes Poſſeſſor; for the ſame Reaſon it muſt be ſaid, that good Works are the condition of Juſtification, becauſe GOD requires them in Perſons Juſtified.

Now that this if it be poſſible may be made yet more evident, take the following Argument.

That does not belong to the Succeſsion, or is not a condition thereof, which the Succeſſor is not obliged to, and is not in a condition to perform, till after the Succeſsion is over, that is, hath taken effect, or is compleated by the Succeſſor's becoming Poſſeſſor.

But to join in Communion with the Church of *England*, is what the Succeſſor is not obliged to, and to fulfill or obſerve the reſt of the Proviſo's, is what he is not in a condition to do, till after the Succeſsion has taken effect, or is compleated by actual Poſſeſsion. Therefore

To join in Communion with the Church of *England*, and obſerve the reſt of the Proviſo's, belong not to the Succeſsion, and are not conditions thereof. Which Argument is like unto this.

Theſe things cannot be conditions of our Juſtification, which we cannot perform till after we are Juſtified.

But good Works are things which we cannot perform till after we are Juſtified. Therefore

Good Works cannot be the conditions of our Juſtification.

It being certain then and manifeſt, that the Proviſo's, and particularly the Succeſſor's being oblig'd to join in Communion with the Church of *England*, belong not to the Succeſsion, have no Connection therewith, and are not conditions on which it doth any manner of way depend. And it being as manifeſt, that they who take the Abjuration, promiſe only to Maintain, Support and Defend the Succeſsion, and conſequently, theſe things only, which relate to the Succeſsion, and on which it doth Depend: What can be more evident, than that they who take the Abjuration, promiſe not to make Effectual the Proviſo's, nor to oblige the Succeſſor to join in Communion with the Church of *England*, when he comes to the Crown. Take this other Syllogiſm.

They

They who take the Abjuration, promise to Maintain and Support the Succession, and by consequence that only, upon which the Succession's taking effect doth depend.

But the Provisо's have no connection with the Succession, and the Successions taking effect in due time, does not Depend on them; as is Evident, because the Successor is not obliged to observe them, till after the Succession has taken effect. Therefore

They who take the Abjuration, promise not to Maintain the Provisо's, or to oblige the Successor to join in Communion with the Church of *England*.

It will be said, that they who take the Abjuration, do not promise simply, to Maintain and Support the Succession, but to Maintain and Support the Succession *As* it is Settled and Entailed in the two Acts referr'd to, and particularly that which contains the Provisо's: And seeing they promise to Maintain and Support the Succession *As* it is Settled and Entailed in that Act which contains the Provisо's, therefore the *As* must of a necessity Reduplicate upon the Provisо's.

But when they who take the Abjuration, promise to Maintain and Support the Succession *As* it is Settled and Entailed in the Act which contains the Provisо's, it can never be thought that the *As* Reduplicats upon the Provisо's, till first it be clearly Proven, that the Provisо's belong to the Succession, have connexion therewith, or are conditions on which it doth Depend. I should indeed grant that the *As* would Reduplicate on the Provisо's, if the Provisо's were conditions of the Succession, or if the fulfilling them had been necessary in order to being Constituted and Nominated Successor, or if the fulfilling them were necessary to the compleating the Succession, and its taking effect in due time: Nay, I shall say, that if fulfilling these Provisо's were any manner of way requir'd in order to these ends, they who incline that way, might have something to Quible against. But let any person shew, how it can be said, that they who take the Abjuration, promise to Maintain and Support the Provisо's, by their promising to Maintain and Support the Succession, *As* it is Settled and Entailed in the Act; if the Succession hath no connexion with the Provisо's in the

Act, nor any manner of Dependance upon them: Or, how it can be imagined, that the Proviſo's ſhould be Terms or conditions of the Succeſsion, when they do not take place, but after the Succeſsion has taken effect, and is turned into Poſſeſsion. And if people will ſay, that the *As* Reduplicats upon the Proviſo's, without being able to Prove Solidely and Demonſtratively, that the Succeſsion hath a Relation to the Proviſo's, and Dependance on them as Terms and conditions, they muſt of a neceſsity run into that which is call'd the Popiſh Circle, and aſſert, that the *As* Reduplicats on the Proviſo's, becauſe they are Terms and conditions of the Succeſsion; and that they are Terms and conditions of the Succeſsion, becauſe the *As* Reduplicats on them. Thus the *Papiſts* believe the Church of *Rome* to be the true Church, becauſe they believe that the Scriptures, which are the word of GOD, ſay that it is ſo: And they believe that the Scriptures are the word of GOD, becauſe the Church of *Rome*, which they believe to be the true Church, ſays that they are ſo.

3*dly*. They who take the Abjuration, do not promiſe ſimply, to Maintain and Support the Succeſsion of the Crown, as it is, and ſtands Settled and Entailed in the Act; but as it is, and ſtands Settled and Entailed in the Act, or Limited to the P. *Sophia, and Her Heirs being Proteſtants*. Theſe are the words of the Abjuration. And hence it is evident, that they who take the Abjuration, do not Swear to every thing in that Act which it referrs to, and which contains the Proviſo's, but only and ſolely to that in the Act referr'd to, which Limits the Entail of the Succeſsion of the Crown to the P. *Sophia, and Her Heirs being Proteſtants*. Now it is certain, that the Proviſo's in the Act referr'd to, and particularly the Succeſſor's being oblig'd to join in Communion with the Church of *England*, do not Limite the Succeſsion of the Crown to the P. *Sophia, and Her Heirs being Proteſtants*. If any Perſon can let me ſee, what way it can be ſaid, that the Proviſo's Limite the Succeſsion of the Crown, to the P. *Sophia, and her Heirs being Proteſtants*, more than to the King of *Pruſſia*, or any other Proteſtant Family, that might have been pitched on, *erit mihi magnus Apollo*. Nothing can be more

more clear, than that the Proviſo's Limite not the Succeſsion to her, but are things requir'd of her after the Limitation of the Succeſsion to her has taken effect by her being put in Poſſeſsion. What is it in the Act then that Entails and Limits the Succeſsion of the Crown to the P. *Sophia, and Her Heirs being Proteſtants*? I anſwer, if you Read the Act, you will find the Succeſsion Entailed and Limited to them by theſe expreſs words, which we here ſet down, viz.

And be it Enacted and Declared by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament Aſſembled, and by the Authority of the ſame, that the moſt Excellent Princeſs Sophia *Electoreſs and Dutcheſs Dowager of* Hannover, *&c. Be, aud is hereby declared, to be the next in Succeſſion in the Proteſtant Line, to the Imperial Crown and Dignity of the ſaid Realms of* England, France *and* Ireland, *with the Dominions and Territories thereunto belonging, after his Majeſty, and the Princeſs* ANN *of* Denmark, *and in default of Iſſue of the ſaid Princeſs* ANN *and his Majeſty Reſpectively, &c. The Crown and Regal Government of the ſaid Kingdoms of* England, France *and* Ireland, *and of the Dominions thereunto belonging, with the Royal State and Dignity of the ſaid Realms, and all Honours, Stiles, Titles, Regalities, Prerogatives, Powers, Jurisdiction and Authorities to the ſame belonging and appertaining, ſhall be, remain and continue, to the ſaid moſt Excellent Princeſs* Sophia, *and the Heirs of her Body being Proteſtants: And thereunto the ſaid Lords and Commons, ſhall and will in the Name of all the People of this Realm, moſt Humbly and Faithfully ſubmit themſelves and their Heirs and Poſterities; and do faithfully promiſe, that after the Deceaſes of his Majeſty and Her Royal Highneſs, and the Failure of the Heirs of their Reſpective Bodies, to ſtand to, Maintain and Defend the ſaid Princeſs* Sophia, *and the Heirs of her Body, being* Proteſtants, *according to the Limitation and Succeſſion of the Crown in this Act ſpecified and contained, to the utmoſt of their Powers, with*

their Lives and Estates, against all Persons whatsoever, that shall attempt any thing to the contrary.

These are the Words of the Act, by which the Succession of the Crown is Settled, Entail'd and Limited to the *P. Sophia*, and the Heirs of Her Body: And I defy any Person to find any other Thing, Word or Clause in that Act, which can be said in any Construction or Sense whatsoever, to Settle, Entail or Limit the Succession to P. *Sophia*, and Her Heirs being Protestants. Seeing then, that they who take the Abjuration, promise to Maintain and Support the Succession, as it is Settled and Entailed or Limited in the Act to the P. *Sophia* and Her Heirs: And seeing the Succession is not Entailed and Limited by the Act to P. *Sophia* and Her Heirs, any manner of way whatsoever, but in the Paragraph, or by the Words thereof above mentioned and set down: And seeing it cannot be pretended, that the Proviso's contained in the Act, have any relation to, or Affinity with the Entailing or Limiting the Succession to the P. *Sophia* and Her Heirs: It is evident that the Abjuration touches nothing in the Act, but that Paragraph or these Words only, and that they who have taken it, are no ways concerned with the Proviso's set down therein. And hence, it is also evident, that the *Coronation Oath*, which the Successor is by this Act Obliged to take, is not within the Compass of the Abjuration. Now, what we have been saying on this head, may be reduced to the following Syllogism.

They who take the Abjuration, promise to Maintain and Support the Succession of the Crown, as it is, and stands Settled and Entailed or Limited in the Act to P. *Sophia* and Her Heirs being Protestants.

But there is nothing in the Act, that has Relation to, or Affinity with the Entailing and Limiting the Succession to the P. *Sophia* and Her Heirs, excepting the above set down Paragraph or Words thereof. Therefore,

The Abjuration referrs only to these Words in the Act and no more, and they who have taken it, are not concerned with the Proviso's.

What

What we are saying, will be further Evident, if it be Considered, that the Words of the Paragraph we are speaking of, and which are above set down, are (in the Act it self) called the *Limitation of the Act*. The Words are, *Provided always, and it is hereby Enacted, that all and every Person and Persons, who shall or may take or inherite the said Crown, by Virtue of the* Limitation *of this present Act, &c.* And why they are call'd the *Limitation of the Act*, is Visible, *viz.* Because by them the Succession of the Crown is Settled and Limited to P. *Sophia* by Name, (to the Exclusion of all other Pretenders) and to the Heirs of her Body being Protestants, and by no other thing that is contain'd in the Act. And it being evident by what has been said, that they who take the Abjuration, are not engaged to Maintain and Support the Act, that is, all and every thing that is contained therein, but only the *Limitation of the Act*, they being engaged only, *To Maintain, Support and Defend the Succession of the Crown, as Entailed by the Act, and Limited to* P. Sophia *and her Heirs:* What can be more plain, than, they are not engaged to Maintain, or make effectual the Proviso's, which do not belong to the *Limitation of the Act*? Take this other Sylogism.

They who take the Abjuration, do not promise to Maintain all and every thing contain'd in the Act, but only the Limitation of the Act.

But so it is, that the Proviso's contain'd in the Act, are not the Limitation of the Act. Therefore,

They who take the Abjuration, are not engaged to Maintain or make effectual the Proviso's contain'd in the Act.

If any Person be Obstinate, and will assert that the Proviso's also are the Limitation of the Act. Let him consider, that that only is the Limitation of the Act, which Limits the Succession to the P. *Sophia*, &c. to the Exclusion of all others, which the Proviso's do not. And that that only is the Limitation of the Act, which gives the Right and Title to the P. *Sophia* and her Heirs to take or Inherite this Crown; for the Parliament says, *Who shall or may take or Inherite the said Crown, by vertue of the Limitation of this present Act*: But the Proviso's gave not the Right and Title to the P. *Sophia*, seeing she has a Right and

Title

Title to the Succeſſion already, which is to be Compleated by Actual Poſſeſſion, before ſhe can come under any Obligation to fulfill the Proviſo's; and therefore the *Proviſo's* are not the Limitation of the Act, and do not thereunto belong.

4*ly*. They who take the Abjuration, promiſe to Maintain and Support the Succeſſion of the Crown, as it ſtands Settled and Entailed, or Limited in the Act, to P. *Sophia, and her Heirs being Proteſtants*. But the Proviſo's in the Act do not belong to the Settleing, Entailing, or Limiting the Succeſſion of the Crown to P. *Sophia* and her Heirs. And this is yet more evident, becauſe they are *Further Securities* to the Religion and Liberties of *England*, viz. Further Securities, beſides, and over and above the Limitation of the Crown, or the Entailing and Limiting the Succeſſion of the Crown to P. *Sophia* and her Heirs, in the preceeding part of the Act, and the Security Derived or to be Derived therefrom. And that the Proviſo's are *Further Securities*, beſides, and over and above the Limitation of the Crown, or the Entailing it to a Proteſtant Family, is clear from the expreſs words of the Act, viz. *And whereas it is Requiſite and Neceſſary, that ſome further Proviſion be made, for Securing our Religion, Laws and Liberties, &c.* And this *Further Proviſion* are the Proviſo's. The Proviſo's then do not belong to the Limitation of the Act, but are further Securities beſides and over and above the ſame, and the Security that may flow, or be Derived therefrom. And ſeeing they who take the Abjuration, promiſe only to Maintain and Support the Succeſſion of the Crown as it ſtands Settled and Entailed, and Limited in the Act to P. *Sophia* and her Heirs, it is evident, they do not promiſe to Maintain or make Effectual the *Proviſo's*, which do not belong thereto, but are *Further ſecurities*. Thus, they who take the Abjuration, ſay, *I do promiſe to Maintain and Support the Succeſſion of the Crown, as by the Act it ſtands* Settled *and Entailed, or Limited to the* P. Sophia *and her Heirs*. But ſay not, *I do promiſe to Maintain and* Support *the Succeſſion of the Crown, as, by the Act, it ſtands* Settled *and Entailed to the* P. Sophia *and her Heirs*; *And alſo, ſhall Maintain the* further Securities, *or* Proviſo's *mentioned and ſpecified in the ſame Act*.

And

And hence it is manifeit, that they who take the Abjuration, promiſe not to Maintain or make effectual the Proviſo's, and particularly that the Succeſſor ſhall join in Communion with the Church of *England*, when he comes to the Crown. What is here ſaid may be ſumm'd up in this Syllogiſm.

They who take the Abjuration promiſe only to maintain and ſupport the Succeſſion, as by the Act it is Entailed and Limited to the P. *Sophia* and her Heirs.

But the Proviſo's do not belong to the Succeſſion, as by the Act it is Entailed and Limited to the P. *Sophia* and her Heirs, but are further Securities and Proviſion beſides and over and above the ſame. Therefore

They who take the Abjuration, promiſe not to Maintain or make Effectual the Proviſo's.

5*ly*. The Settleing and Entailing the Succeſſion to the P. *Sophia*, and her Heirs, is the ſame with *the Limitation of the Act* before mentioned; ſo that, they who promiſe in the Abjuration, to maintain and ſupport the Succeſſion of the Crown, as it is by the Act Settled and Entailed to the P. *Sophia* and her Heirs, promiſe to Maintain *the Limitation of the Act*, and neither more nor leſs. But *the Limitatation of the Act*, and the *Proviſo's* are different things, as has been made appear, and this is what is yet further evident, from their being in the Act expreſly diſtinguiſhed from the Limitation. Thus the fourth Proviſo takes place, *From and after the time that the further Limitation by this Act takes effect*. And the fifth Proviſo takes place, *After the ſaid Limitation ſhall take effect*: And to be ſhort, not one of the Proviſo's takes place, till after the time that the Limitation has taken full effect. Now ſeeing the Proviſo's are thus expreſly diſtinguiſh'd from the Limitation, and that the Limitation is one thing, and the Proviſo's another; to promiſe to Maintain and ſupport the Limitation, is not to promiſe to ſupport and maintain, or make effectual the Proviſo's. Wherefore, ſeeing they who take the Abjuration, promiſe only to maintain and ſupport the Limitation, it is certain, that they do not thereby promiſe to Maintain or make effectual the Proviſo's, and to oblige the Succeſſor to join in Communion with

the *English* Church, when He or She comes to the Poſſeſſion of the Crown.

To conclude, if all that has been ſaid on this head be laid together, and duly pondered, it will be ſo manifeſt and clear, that they who take the Abjuration, promiſe not to maintain or make effectual the Proviſo's, and engage not to oblige the Succeſſor to join in Communion with the Church of *England*, after the Succeſſion has taken effect, that no room can be left for doubting.

Now, if we lay down this as a firm Concluſion, and which cannot be ſhaken, that the Abjuration is no ways concern'd with the Proviſo's, which I think we now may, after what has been ſaid, a firm and ſure Foundation will be laid, for removing any difficulty that may ariſe from the Conſideration of any thing that is ſaid in the other *Act*, viz. *Anno decimo Tertio & Quarto Gulielmi 3. Regis.* Whatever way the Maintenance of the Church of *England* as by Law Eſtabliſhed, may be ſaid to Depend on the two *Acts* referr'd to in the *Abjuration*, and particularly that which contains the Proviſo's, it can never be ſaid to Depend on that *Act*, becauſe the Proviſo's contain'd therein, are Sworn to in the *Abjuration*. But let us hear the words of this *Act*, which occaſioned ſo much ſcruple; They are theſe, viz.

On which Acts (Namely that are Referr'd to in the Abjuration) the Safety of Your Majeſties Royal Perſon and Government, the Continuance of the Monarchy of England, *the* Maintenance of the Church of England, as by Law Eſtabliſhed, *the Security of the Ancient and Undoubted Rights and Liberties, and the Future Peace and Tranquillity of this Kingdom do (under GOD) intirely Depend: To the Intent therefore, that the ſaid Acts may be for ever* Inviolably preſerved, *and that all Future Queſtions and Diviſions, by reaſon of any pretended Titles to the Crown, may be prevented,* &c. *Let it be Enacted,* viz. *That all Perſons Undernamed take the following Oath, Namely the Abjuration.*

Here

Here two things are asserted, First, That the Security of the Church of *England* as by Law Established, Depends on these Acts; And Secondly, That it is the Intent and Design of the Oath of Abjuration, that these Acts be for ever Inviolably preserved. As to the first of these, That the Security of the Church of *England* as by Law Established, depends on these Acts. That this may be set in its due Ligat, it must be considered that,

The Question is not, what way, or how much, the Maintenance of the Church of *England* depends on these Acts, or either of them, considered in the bulk: But what way; or how much the Maintenance of that Church depends on these Acts, in so far as they are Sworn to in the Abjuration? The Reason is, because we are concern'd with these Acts no further than Reference is made to them, or they are Sworn to in the Abjuration. The Question then is, if all things contain'd in these Acts, that is the whole of these Acts, is referr'd and Sworn to in the Abjuration, or a part of these Acts only, that is, the Limitatiens of them, or Succession of the Crown, which is, or as it is Entailed and Limited by them. And if all and every thing contain'd in these Acts, are not referr'd and Sworn to in the Abjuration, but the Limitations of them only, or the Entail of the Succesion settled by these Acts, then the Church of *England* can have no other Maintenance from the Abjuration, or these who take it, that I know, excepting what flows from the Limitation, or Entail of the Crown by these Acts, that is, from the Protestant Succesion. But certain it is, and made abundantly evident by the foregoing Arguments, that the Abjuration is not concern'd with all things contain'd in these Acts, and particularly, that they who take it are not thereby engaged to maintain and support, or make effectual the Proviso's. And therefore these Acts, in so far as Sworn to, in the Abjuration, afoord no other Maintenance to the Church of *England*, than they do to the Church of *Scotland*, that is, such Maintenance as may be suppos'd to flow in common to them both, from the influence of the Protestant Succesion.

It would be indeed hard, and, as I think, to strain the Words of the Act, to Exclude the Church of *England* altogether from;

Maintainance even by the *Abjuration* (for that it has Maintainance by the Act, is what no body can doubt of) seeing the Parliament has said, *On which Acts —— the Maintainance of the Church of* England *—— do intirely depend, to the intent therefore, &c.* But, as has been said, we do not Exclud that Church wholly from Maintainance by the *Abjuration*, but from Maintainance by it, as taking in and Comprehending the Proviso's; not from Maintainance by it, as Securing the *Succession* in the Protestant Line. *And* hence it is evident, that this is a bad and Unconcluding Argument, Namely, The Parliament intended Maintainance to the Church of *England* by the *Abjuration*, therefore they intend that the *Abjuration* should Comprehend the Proviso's. Indeed if the Parliament has said, that they intended Maintainance to the Church of *England* by the Abjuration, and if that Church can have no Security or Sustentation by the Abjuration, unless it comprehend and take in the *Proviso's*, I confess there will be something to say. But it is manifest Weakness, and discovers defect of Judgment, to pretend, that because the Parliament intended Maintainance to the Chureh of *England* by the *Abjuration*, therefore they intended that the *Abjuration* should Comprehend and take in the Proviso's, tho' that Church has Maintainance by the Abjuration another way, Namely, through its *Securing* the Succession in the Protestant *Line*, as said is; and tho that the Parliament intended, that Church should have Maintainance by the *Abjuration* this way, Namely, By causing it comprehend and take in the Proviso's, is what cannot be made appear by any thing that looks like the shadow of a Reason.

But let it be observed here, that it will by no means follow, that because the Maintainance of the Church of *England* was one thing which the Parliament had perhaps in View, or intended by Settling the Succession of the Crown in the Protestant Line, and in injoining the *Abjuration* for the further *Secnrity* of the said Succession, that therefore they who take the Abjuration, either intend or should intend the Maintainance of that Church, by their Swearing to *Support* and Maintain, or by their actual Supporting and Maintaining the Succession in the Protestant Line.

Line: The Reason is; becauſe the Parliament gain their *Intention*, or their Intention is ſufficiently fulfill'd, if they who take the *Abjuration*, do *de facto* Support and Maintain the Succeſſion in the Proteſtant Line, whether they intend the Maintenance of the Church of *England* by their ſo doing, or not; yea tho they ſhould intend no other thing thereby, but the Maintenance of the Church of *Scotland*; or if they Support and Defend the ſaid Succeſſion, for other more Valuable ends, than the Maintenance of the External Form of the Church of *England*. Intentions are only known to GOD, and therefore come not under the conſideration of Humane Laws. The *Opus Operatum* is the only thing which the Parliament required, not regarding what Intention, either Party, or particular Perſons might have, in their concurring to *Maintain* and carry on the Succeſſion in the Proteſtant Line, providing that they actualy Maintain and carry on the ſame.

If the *Roman* Senate had made an Act, ordering Prayers to be put up in all Religious *Aſſemblies*, for the Preſervation of the Emperors and had ſaid in that Act, that the Safety of the City and Empire, the Continuance of the Monarchy of *Rome*, *the Maintenance of the Temples and the Worſhip of the Gods*, and the Peace and Tranquility of the Provinces, depended on their Preſervation: Would the Premitive Chriſtians have abſtained from Praying for the Emperors, contrary to the expreſs Apoſtolical Precepts? Or would they have intended the Maintenance of the Temples and Heathniſh Worſhip, in their Prayers or Endeavours for the Preſervation of theſe there Temporal Lords, tho' the Prieſts had ſuch an Intention in their Prayers and Sacrifices for them, and tho' perhaps the Senate intended, among other things, the Maintenance of the ſaid Temples and Worſhip, in and by the Preſervation of their Emperors, and the Prayers put up for their Preſervation? To put an end to this Point, from what has been ſaid, you may underſtand, that theſe *Presbyterians* who have taken the Abjuration, concur no further towards the Maintenance of the Church of *England*, than *Cornelius* the Centurion, & *Sergius Paulus* in the firſt Century, or the Chriſtians in the *Army* of *M. Aurelius* in the ſe-

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ond Century, who saved the whole Army by a Miraculous Rain from Heaven, which they procured by their Prayers; or the *Thebæan* Legion in the Army of *Maximianus Cæsar* in the Third Century, who died Martyrs all of them; or than other Primitive Christians concurr'd towards the Maintenance of the *Pagan* Temples and Worship, by their contributing, with Sword in hand and otherways, towards the Supporting and Maintaining the State of the *Roman* Emperours, on whom the Maintainance of the *Pagan* Worship and Temples depended every wheet as much, as the Maintenance of the Church of *England* can be supposed to depend on the Maintenance and Establishment of the Succession in the Protestant Line. So widely do these Well-meaning Men mistake things, who are startled at such Maintenance of the Church of *England*, as the *Abjuration* doth oblige to.

Yet after all, Maintenance of the Church of *England*, as Protestant, or concurring toward the keeping it from being overwhelmed by *Popery*, is a good Work to the which all the good *Protestants* in *Europe* should Contribute their best Endeavours. And this is not in the least Inconsistent with our Contributing in the mean time, and when we are call'd of GOD, all that we can, towards a further Reformation of that Church in an orderly way, or in a way not contrary to the Laws of the Gospel.

The second thing *Asserted* is, *That it is the Intent and design of the Oath of Abjuration, that these Acts be for ever inviolably preserved.* *And* hence it is inferred, that it is the intent of the *Abjuration*, that the Proviso's be for ever Inviolably preserved, in regard that the Proviso's are contained in one these *Acts*: *And* hence it will follow that the Proviso's are Sworn to in the *Abjuration*, else it could not be the intent of the Parliament by the *Abjuration* that they may be for ever Inviolably Preserved. I look on this as the Chief and principal Objection, and I confess it carys with it some shew of Reason, wherefore I shall insist the more fully on it, hopping to set the whole Matter in such a clear Light, that any Rational Man, who will consider what we have to say, shall be convinced in

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his Conſcience, that the Miniſters of the Church of *Scotland*, and others who have taken then *Abjuration*, have *Acted* with Judgment in that affair, and behaved as Men of Knowledge, and that the *Parliament* by Impoſing the Abjuration, has not Impoſed on Presbyterians an Oath Contrary to *Presbyterian Principles*.

I ſay then, that if the meaning of theſe words of the *Act*, be made to be, that it was the intention of the Parliament in making the *Abjuration*, that theſe *Acts* referred to, that is all and every thing contained in theſe Acts (and conſequently the Proviſo's) ſhould remain for ever Inviolable; I know nothing it can prove, but this: that the *Parliament* miſſed one thing whic they intended by the Abjuration. For if the Proviſo's are not i the Abjuration, as we have proven they really are not, it will never follow they are in it, becauſe it was the intention of the Parliament, that they ſhould be in it. Intentions can never alter things. If it ſhould be Voted, or aſſerted in the Narrative of an *Act*, *That the Church does not ſtand in the Church-yard*, it will ſtand there notwithſtanding, till it be pull'd down and Built elſewhere. Tho' the Parliament had ſaid poſitively, it was their intention that the Proviſo's ſhould be in the *Abjuration*, yet they will never be there, till they be really put there. And it is much more reaſonable to argue after this manner, The Proviſo's are not really in the *Abjuration*, therefore it was not the intention of the Parliament that they ſhould be there; than to argue thus, It was the intention of the Parliament that the Proviſo's ſhould be in the Abjuration, therefore they muſt be there, whither they be really there or not.

But neither are the Proviſo's in the Abjuration, neither was the Parliament miſtaken in their intention, for they never intended that the Proviſo's ſhould be in the Abjuration, nor, when they ſaid, *To the Intent therefore that the ſaid Acts may be for ever Inviolably Preſerved*, did they intend, that all and every thing contain'd in theſe Acts, ſhould be for ever Inviolably Preſerved; But only, that *the Limitations of theſe Acts* (as they expreſs it) be for ever Inviolably Preſerved, that is, the Succeſsion

ceſſion of the Crown, Limited or Entailed by theſe *Acts*, to the P. *Sophia* and her Heirs being Proteſtants. So that when they ſaid, *To the Intent therefore, that the ſaid Acts may be for ever Inviolably Preſerved*, by *Acts*, they did not underſtand *the whole of theſe Acts*, or all the particular things and Clauſes in them, but only *the Limitations of theſe Acts*, that is, the particular Clauſes in them, by which the Proteſtant Succeſſion is Settled and Eſtabliſhed.

To ſet this in a clear Light, let it be obſerved, that the Succeſſion of the Crown, is Entailed to the P. *Sophia* and her Heirs in the ſecond of theſe Acts referr'd to in the Abjuration: And that they have their Right to the Succeſſion of this Crown, by virtue of the Limitation of that *Act*, not by virtue of that whole Act, or every thing that is contain'd therein, but only by vertue of that part of it, which they call *the Limitation of the Act*. This is evident, as from the Nature of the thing, ſo from the expreſs words of that Act in § 2. Where it is ſaid, *Provided always, and it is hereby Enacted, that all and every Perſon and Perſons, who ſhall or may take or* Inherite *the ſaid Crown* by virtue of the Limitation of this preſent *Act*, &c. P. *Sophia*, then and Her Heirs, have not their Right from that *whole Act*, but from *the Limitation of that Act*. Yet in that ſame Act it is ſaid, *And that every King and Queen of this Realm, who ſhall come to Succeed in the Imperial Crown of this Kingdom*, by virtue of this Act, *ſhall have*, &c. What is before call'd, *Limitation of this Act*, is here call'd the *Act*. So that *Act* here, and *Limitation of the Act*, are Equivalent Terms, one and the ſame thing; and by *Act* in this Paragraph, we are not to underſtand the *whole of the Act*, or all and every thing contain'd therein, but only *a part of the Act*, namely that part of it, which is call'd *the Limitation of the Act*. The caſe is the ſame here; when the Parliament ſaid, *To the Intent therefore, that the* ſaid Acts *may be for ever Inviolably Preſerved*, their meaning was not, that *the whole of theſe Acts*, or all and every thing that is contain'd in them, may be for ever Inviolably Preſerved, but that the *Limitation of theſe Acts*, may be for ever Inviolably Preſerved, or that part of them which Eſtabliſhes the Succeſſi-

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on of the Crown in the Protestant Line. In the Act referr'd to, *To inherit the Crown by vertue of the Act, and, to inherite the Crown by vertue of the Limitation of the* Act, are the same thing: Wherefore in this *Act*; *To the intent therefore that the said* Acts *may be for ever inviolably preserved, and, to the intent therefore that the Limitations of the said* Acts *may be for ever inviolably preserved,* are one and the same thing in like manner.

Thus also (in Act 17. An. 1. Annæ Reg: Paragr: 3.) it is said, *That if any person or persons at any time after the first day of* March 1702. *shall endeavonr to deprive or hinder any person who shall be next in* Succession *to the Crown, for the time being: according to the* Limitations *in the* Act, (viz. The first *Act* referred to in the Abjuration) and according to *one other Act*, &c. (viz. the second Act referred to in the Abjuration) that is, according to the *Limitation of one other Act*, as is farther evident from what is there added, *viz. Hinder from Succeeding, after the decease of Her Majesty to the Imperial Crown of this Realm, according to the* Limitations *in the before mentioned* Acts, &c. which plainly shows, that by *one other Act*, they understood *Limitation of one other Act*; So that to say *Acts*, instead of *Parts of Acts*, or *Limitations of Acts*, is ordinary Parliamentary Stile in such Cases. Wherefore, when it is said here, *To the Intent therefore that the* said Acts *may be for ever inviolably preserved*, no more can be made of it, but thus, *To the Intent therefore, that the* Limitations of the said Acts *may be for ever inviolably preserved*

And that what we are saying may be evident, even to a demonstration, and not so much as the shaddow of a pretence may be left for doubting, Let us take a particular view of the Tenor of this Act under consideration, in the Narrative of which it is said, *To the Intent therefore that the said Acts may be for ever inviolably preserved.*

It beginneth thus,

Whereas by an Act *made in the first Year of the Reign of your most Excellent Majesty, and your late Royal Consort Queen* Mary, *of ever Blessed Memory,* Entituled, *An Act Declaring the Rights*

and

and Liberties of the Subjects and settleing the Succession of the Crown, it was Enacted Established and Declared, viz. That the Crown and Royal Power should continue to *King William* and *Queen Mary*, and the Survivor of them; And after their Death remain to the Heirs of *Q. Mary*'s Body; And for default of such Issue, to the P. *Anne* of *Denmark*, and her Heirs; and in default of them, to the Heirs of *K. William's* Body. Now by *Act* here, is understood not the whole *Act*, but the *Limitations of the Act*. This is evident 1. Because it is by the *Limitations* of the Act here mentioned, that the Possession of the Crown and Royal Power was Decreed to continue to *K. William* and *Q. Mary*, and the Survivor of them, and after their Death to *Q Mary's* Heirs; and failing them *Q. Anne* and her Heirs. As to the rest of the Things contained in that Act, they have no manner of relation to this purpose. 2. This is evident by the Parliament's own gloss upon this word; For in the second Act here mentioned, The Parliament speaking of this same first Act, and entail of the Crown made therein, says——*Your good Subjects, Who, under such Losses, being sensibly put in mind, that it standeth wholly in the pleasure of GOD Almighty, to prolong the Lives of Your Majesty, and of Her Royal Highness, and to grant to Your Majesty, or to Her Royal Highness, such Issue as may be inheritable to the Crown and Regal Government aforesaid, by* the Respective Limitations in the said recited Act contained, &c. You see, that what in this place they call *Act*, in the other place they call *Limitations of the Act*: Here they say, that *Q. Anne's* and *K. William's* Heirs, were made Inheritable of the Crown by the *Act*; aud there they say, that they were made Inheritable of the Crown, by the Limitations of this *Act*. It is clear then, that according to the Parliament's gloss, these words in this *Act* we are speaking of, viz. *Whereas by* an Act *made in the first year of the Reign of your most Excellent Majesty, must be paraphrased thus, Whereas by the* Limitations of an Act *made in the first Year of the Reign of Your most Excellent Majesty*. Wherefore it is evident aboundantly, that *Act* here signifyeth not *whole Act*, but only *Limitations of the Act*.

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After this, this the new Narrative of this *Act* we are speaking of, goes on thus.

And whereas by one other Act *made in the Twelfth Year of Your Majesties Reign*, Entituled, *An Act for the further Limitation of the Crown, and better Securing the Rights and Liberties of the Subjects*, &c. *It was Enacted*, &c. *viz.* That after the Death of *Q. ANNE* and in default of Her Issue, the Crown and Regal Government of this Realm, should remain to the *P. Sophia*, and her Heirs being Protestants. And in like manner, by *one other Act* in this Sentence, we must understand by *the Limitation of one other Act*, as is evident by the same Reasons. 1. Because it is by the *Limitation* of that Act only, that the Succession of the Crown is Entailed to the *P. Sophia* and her Heirs, and by no other thing contained therein. 2. Because the Parliament it self putteth this gloss on it, in the before cited Sentence, namely, *Provided always, and be it hereby Enacted, that all and every person and persons, who shall or may take or inherit the said Crown, by vertue of the* Limitation of this present Act. Here they say that *P. Sophia* and her Heirs have their Right to the Crown by that *one other Act* made in the Twelfth Year of *K. William's* Reign: But in the Sentence we have cited they say, that P. *Sophia* and her Heirs have their Right to the Crown by *vertue of the Limitation of that Act*. According to the Parliaments gloss then, these words of this *Act*, viz. *Whereas by* one other Act *made in the Twelfth Year of Your Majesty's Reign must be paraphrased after this manner, Whereas by the* Limitation of one other Act *made in the Twelth Year of Your Majesty's Reign.* Wherefore it is no less evident that by *one other Act* in this place, we must understand *the Limitation of one other Act*, &c.

After this it is added,

And whereas the French King, *in hopes of Disturbing the Peace and Repose of your Majestie, and your Kingdoms, hath caused the pretended P. of* Wales *to be Proclaimed King of* England, Scotland, *and* Ireland, *whereupon he hath assumed the said Stile, and Title, in Open Defiance of the Provisions made for the Establish-*

nt of the Title and Succeſſion of the Crown by the ſaid ſeveral Acts of Parliament, &c. But the Proviſions which they here ſpeak of, were made by the Limitations of theſe ſeveral (or two) Acts of Parliament, wherefore by the *ſeveral Acts* here, we muſt ſtill underſtand, *the Limitations of theſe ſeveral Acts*, and not *theſe whole Acts.* Then it is ſaid,

On which ſaid *Acts, the ſafety of your Majeſty's Royal Perſon and Government, the Continuance of the Monarchy, of* England, *the preſervation of the Proteſtant Religion, the maintainance of the Church of* England *as by Law Eſtabliſhed, &c. Do under GOD intirely depend.* On which ſaid Acts, that is, on which ſaid Acts before mentioned; but the Limitations of the Acts only, are before mentioned; therefore *on which ſaid Acts* Signifies, *on the Limitations of which ſaid Acts.* Then follow the words which occaſion the Scruple, *viz.*

To the intent therefore that the ſaid Acts *may be for ever inviolably preſerved, &c.* What ſaid *Acts?* The ſaid Acts before mentioned, certainly, *viz.* That which is intituled *An Act declaring the Rights and Liberties of the Subjects, and Settling the Succeſſion of the Crown,* And the other intituled, *An Act for the further Limitation of the Crown, &c.* But the Limitations of theſe Acts, only are before mentioned, and not theſe Acts conſidered in the bulk, as is evident from what is ſaid. Wherefore, *To the intent* theſe Acts *may be for ever inviolably preſerved*, can Import no more, ſignify no more, intend no more, but this, To the intent that *the Limitatations of theſe Acts* may be for ever Inviolably preſerved: Not that all and every thing in them, or the Proviſo's contained in the ſecond Act, may be for ever Inviolably preſerved. If it be needful to ſay any more on this head, conſider.

1. The Title of this Act, which is, *Act for the further Security of his Majeſtie's Perſon and the Succeſſion of the Crown in the Proteſtant line and for extinguiſhing the hopes of the Pretended P. of* Wales, *and all other Pretenders, and their open and ſecret Abaters.* Hence it is Evident, that the Parliament framed the Abjuration, and oblidged all Perſons in publick Truſt, therein to promiſe

mile or Swear to maintain the Succeſſion, as Limited or Entail
ed by the Acts referred to, for this end, that his Majeſtie's Per
ſon, and the Proteſtant Succeſſion, might be the more ſecured
and that Popiſh Pretenders to the Crown, might be more
effectually prevented. Wherefore when they ſaid, that their
intention in injoyning the Abjuration was, that the two fore
ſaid Acts might be forever Inviolably preſerved, their meaning
behooved to be, that their intention was, that the *Limitation*
of theſe Acts, or the Proteſtant Succeſſion Settled by theſe Acts
might be forever Inviolably preſerved, in regard, that the ren
dering Inviolable or unalterable, the reſt of the things containe
in theſe Acts, and particularly the Proviſo's in the ſecond Act
could Contribute nothing at all to theſe ends, to the farther ſe
curity of the King his Perſon, or of the Succeſſion in the Prote
ſtant Line, and the Extinguiſhing of the hopes of the P.
Wales, and other Pretenders.

2. It is ſaid in the Narrative of this Act, *And whereas th*
French King —*hath cauſed the P. Prince of* Wales *to be Proclaim*
King of England, &c. *Whereupon he hath aſſumed the ſaid Sti*
and Title in Open Defiance of the Proviſions made for the Eſt
bliſhment of the Title and Succeſſion of the Crown by theſe Acts
To the intent therefore that theſe might be for ever Inviolable, &
It was not in Open Defiance of the Proviſo's, or the other thin
contained in the Acts, that the p. Prince of *Wales* aſſumed t
Title and Stile of K. *James* the third, but in Open Defiance
the Limitations of theſe Acts, by which alone the Proviſio
for the Eſtabliſhment of the Title and Succeſſion of the Crow
were made, and therefore the intention of the Parliament
the Abjuration was, that the Limitations of theſe Acts,
which theſe *Proviſions* were made might be for ever Inviolab
the making the Proviſo's inviolable could ſignifie nothing
this. If, *To the intent theſe Acts may be for ever inviolab*
be made to ſignifie *To the intent the Limitations of theſe Acts m*
be for ever Inviolable, the Parliament will be made to ſpeak a
ter this manner; Seeing the P. Prince of *Wales* hath aſſum
the Title of K. *James*, in Open Defiance of the Limitations

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rotestant Succeſſion; therefore we will make theſe Limitati-
ns for ever inviolable, by the Abjuration. But if *theſe Acts* be
aken, for *the whole of the Acts*, the Parliament will be made
ere to ſpeak thus. Seeing the p. prince of *Wales* hath aſſum-
d the Title of *K. James* in Open Defiance of the Limitations
f theſe *Acts* and proviſions made in them, for the Security of
he Proteſtant Succeſſion, therefore we will make theſe Limita-
ions for ever inviolable by the Abjuration, and beſides we will
nake a great many other things inviolable by the ſame Oath,
vhich have no Relation at all to that purpoſe, either to the
ecurity of the Succeſſion in the Proteſtant Line, or towards the
)ppoſing of the Defiances of the p. Prince of *Wales*. Wherefore,
hey who take *Acts* in this place, for *whole of the Acts*, cauſe the
arliament ſpeak Abſurdly.

3. The Parliament would by Impoſeing the Abjuration, make
heſe Acts for ever Inviolable, that by that means, they might
revent all future Queſtions and Diviſions, by Reaſon of any pre-
nded Titles to the Crown, as is ſaid in this Narrative. Hence
is Evident, that when they ſaid they would make theſe two
cts Inviolable, their meaning was, they would make the Li-
itations of theſe Acts Inviolable, for it was by the Limitati-
ns of theſe Acts only that they could ſuppoſe, that all future
ueſtions and Diviſions, by Reaſon of pretended Titles to the
rown, might be prevented, and they could never imagine,
at the reſt of the things contained in theſe Acts (and particu-
rly the Proviſo's) could ſerve to that purpoſe, or have any effi-
cy that way. This is confirmed by what is ſaid in that ſe-
ond Act, in the Narrative before the Limitation of the Suc-
ſſion to the P. *Sophia*, *viz.* And it being abſolutely neceſ-
ry, for the ſafety, peace, *and quiet of this Realm, to obviat all*
ubts and contentions in the ſame, by reaſon of any pretented Titles
the Crown, and to maintain a certainty in the Succeſſion thereof,
which your Subjects may ſafely have Recourſe for their Protection
caſe the Limitations in the ſaid Recited Act ſhould determine:
herefore let it be Enacted, viz. That the Succeſſion be En-

tailed

tailed to the P. *Sophia* and her Heirs being Proteſtants. Whence we may ſee, that it was by the Limitations of the Acts, or the Settleing the Succeſſion, that the Parliament ſuppoſed that future Queſtions and Diviſions, by Reaſon of pretended Titles to the Crown, might be prevented. And it is clear, that making firm the Proviſo's has no Relation to that Affair. In a word it is manifeſt both by the Title and Tenor of the Narrative of this Act, that the Parliament had no other thing in view, but the Security of the Limitations of the foreſaid Acts, and the more firm Eſtabliſhment of the Proteſtant Succeſſion, in forming this Act, and injoyning the Abjuration thereby; and to the Intent therefore that the ſaid *Acts* may be for ever Inviolably preſerved, cannot be drawn to ſignify, to the intent therefore that *the whole of theſe Acts* may be for ever inviolably preſerved, without, manifeſt wreſting the Senſe, and perverting the Scope of the whole Narrative of this *Act*.

4*ly*. When the Parliament ſpeaking of the two Acts, ſaid, *To the Intent therefore the* ſaid Acts *may be for ever Inviolably Preſerved*, if by the firſt of theſe Acts, they underſtood no more but the Limitation of it, by the ſecond Act they underſtood the ſame, that is, not the whole Act, but Limitation of the Act: For it cannot be ſuppoſed, that they would take that one word *Acts* in two different Senſes, by the firſt of theſe Acts which it comprehends, underſtanding only the Limitation of the Act, and by the ſecond underſtanding the whole of the Act: That would be to ſpeak after a very Unuſual and Unintelligible manner, and different from the manner of all Mankind. We may be ſure then, if by the firſt Act (comprehended in the Plural word *Acts*) they underſtood the Limitation of the Act, that by the ſecond Act they underſtood the ſame thing. But certain it is, that by the firſt of theſe Acts, they did not underſtand the whole of the Act, but only the Limitation of that Act: For thereby they underſtood that which they intended to render Inviolable by Injoining the Abjuration; but it was not the whole of the firſt Act, but the Limitation of that Act only, which they intended to make Inviolable by the Abjuration: And this

is

evident, becauſe the Abjuration has no relation at all to any ning in that firſt Act, but the Limitation of it only; for they who take the Abjuration, Swear only to Maintain the Succeſſion of the Crown as it ſtands Settled and Entailed in that firſt Act; and the reſt of the things therein (*ex: gr:* the Abrogating the Oaths of Allegiance and Supremacy, and Subſtituting two others in their Room) are ſo remote from any Relation to the Succeſſion as ſettled in that *Act*, that if there be any who pretend, that the Takers of the Abjuration, do by their Swearing to Maintain the Succeſſion as ſettled in that Act, Swear to all the other things contain'd therein, they will never be able to ſay any thing to juſtify ſuch a pretence, but what will diſcover Miſerable Weakneſs or manifeſt Partiality.

In the beginning of the Narrative of this ſecond Act, the Parliament ſpeaking of the firſt Act ſays, whereas (*among other things*) it was Enacted, viz. That the Succeſſion of the Crown ſhould be Entailed or Limited ſo and ſo, *&c.* And I would fain know how it can be pretended that they who take the *Abjuration*, do by their Swearing to Maintain the Succeſſion as Entailed and Limited in that Act, Swear to Maintain the *other things* which are contain'd therein. If it be aſſerted, that to Swear to Maintain one thing contain'd in an Act referr'd to, is to Swear to Maintain the other things contain'd in the *Act*, for the ſame reaſon it muſt be aſſerted, that Swearing to Maintain one Act, is to Swear to *Maintain* all Acts; for two or three different *Acts* made at different times cannot contain things more different, than ſome things which are contain'd in this Act we are ſpeaking of.

Seeing then that the Parliament ſaid, that they intended to make the firſt *Act* Inviolable by the *Abjuration*, and ſeeing the *Abjuration* has no relation at all to any thing in that firſt *Act* but the Limitation of it only, and conſequently can make nothing of it Inviolable but only the Limitation of it, their ſaying they intended to make the firſt *Act* inviolable by the *Abjuration*, could have no other meaning, but that they intended to make the Limitation of that firſt *Act* Inviolable by the *Abjuration*. Where-

fore

fore seeing the Parliament speaking of these two Acts, said, *To the Intent therefore the* said *Acts may be for ever Inviolably preserved*; and it being certain that by the first of these Acts, they understood no more but the Limitation of it, and seeing this very thing makes it evident, that by the second of these Acts they understood no other thing but the Limitation of it in like manner, what can be more clear than that. *To the Intent therefore the* said *Acts may be for ever Inviolably preserved*, has no other meaning but this, Namely, *To the Intent therefore* the Limitations of the said *Acts may be for ever Inviolably preserved.*

Now by what has been said you may understand, that the Principal point in this Debate is not as is commonly thought, about the second of the *Acts* referr'd to in the *Abjuration*, and which contains the Proviso's, but concerning the first *Act* referred to therein, and the hinge of the Controversy lies in this, Namely, If the Takers of the *Abjuration* are Sworn to all and every thing that is contain'd in that first *Act*, or only to the Limitation of it, or Succession settled therein? For if nothing but the Limitation of the first *Act* is Sworn to in the Abjuration, it will follow, that when the Parliament said, it was their intention by the *Abjuration*, that the *said Acts* be for ever Inviolably Preserved, their meaning was, it was their Intention that the Limitation of the first *Act* be for ever Inviolably Preserved; and hence it will follow, that it was their intention next that the Limitation of the second *Act* only be for ever Inviolably preserved: *And* if their meaning was only that they intended that the Limitations of the *Acts* should be for ever Inviolably Preserved, it will follow that the Maintenance of the Church of *England* which they speak of, is such as depends on the Limitations of the *Acts*; and hence it will follow, that the Takers of the *Abjuration* are not concerned with that Maintainance of the Church of *England* which depends on the first Proviso, and do not affoord Maintenance to the Church of *England*, otherways than in and by their Concurring towards the Maintaining and Supporting the Succession in the Protestant Line; as the first Christians affoorded Maintenance indirectly

in and by their concurring towards the Maintaining and Supporting the *Roman* Emperours.

5*ly*. It is evident by what has already been said, that the Abjuration includes not the Proviso's; and that they who have taken it, are not thereby Engaged to make effectual the same, but only to Maintain and Support the Limitations of the two Acts, and no more, and are not concern'd with the rest of the things contain'd in them. And hence it is manifest, that when the Parliament said, that they intended to make the Acts Inviolable or Unalterable by the Abjuration, their meaning was no other than that they intended to make the Limitations of these Acts Inviolable thereby: For they would never pretend to make these things Inviolable by the Abjuration, which they knew the Abjuration did not reach, and to which it had no manner of Relation. We conclude then, that the meaning of these words, *To the Intent therefore that the* said Acts *may be for ever Inviolably Preserved*, can be no other than this, *To the Intent that the* Limitations of these Acts, *i. e. the Succession of the Crown Limited or Entailed by them, to the* P. Sophia *and her Heirs being Protestants, may be for ever Inviolably Preserved.*

After all, if what has been said be considered, it will be easy to Answer the Arguments, which are raised from the words of this Act against the Abjuration. The first Argument is this.

The Parliament intended by the Abjuration Maintainance to the Church of *England*.

But the Church of *England* can have no Maintainance by the Abjuration, unless it comprehend the Proviso's. Therefore

The Parliament intended that the Abjuration should comprehend the Proviso's.

Answer, It is evident from what has been said, that the Minor of this Syllogism is false. For the Church of *England* has Maintenance by the Abjuration, without its comprehending the Proviso's, in regard that it secures the Succession in the Protestant Line: And security to the Protestant Succession, is se-

curity

curity to the Church of *England*, and to all the Protestants in that Kingdom. The other Argument urged is thus,

It was the intention of the Parliament in Forming and Imposing the Abjuration, to make the *Acts* referr'd to therein Inviolable for ever.

But the *Acts* referr'd to in the Abjuration contain the Proviso's. Therefore

It was the intention of the Parliament in Forming and Imposing the *Abjuration*, to make the Proviso's Inviolable for ever.

The Answer is, That it was not the intention of the Parliament that all and every thing contained in the *Acts*, but only that the Limitations of the Acts be Inviolable. *All* which things are so obvious and plain, that it is a wonder that any People should be found amongst us so Ignorant as to make the taking this Oath a Ground of Separation.

After all, there is one other Objection against the Abjuration, which, tho' I cannot call it very material, yet as I am informed, is very common, and in the Mouths of many Persons: 'And it is this, Namely, *They who take the Abjuration, promise to Maintain and Support the Succession of the Crown*, as the 'same is and stands Settled and Entailed in the two English 'Acts referr'd to: And seeing they who take the Abjuration, 'now after the Union, by *Crown*, must understand *the British* 'Crown, it will follow, that they say or Swear something in 'that Oath, which is not true in matter of Fact, Namely, That 'the *Succession of the British Crown* was Settled and Entailed by 'these two *English Acts*, which neither was nor could be, in 'regard, that that part of the *British Crown* only, which was 'English, was Settled and Entailed by these Acts, whereas that 'part of it which belongs to *Scotland*, was Settled and Entailed by the *Scottish* Parliament, or Union-Act.

To which it may be Answered,

1. That there is no great necessity of making *Succession of the Crown* in the Abjuration, to signify, *Succession of the British Crown*, in regard, that it is sufficient, and the ends of the Abjuration will be abundantly Answered, if thereby we under-

ſtand, *Succeſſion of the Crown in ſo far as Engliſh.* And the reaſon is manifeſt, becauſe they who Swear to Support and Maintain the Succeſſion of the *Engliſh Crown*, as ſettled and Entailed in the ſaid *Acts*, do thereby Swear to Maintain and ſupport the Succeſſion of the *Scottiſh Crown* in the Family of *Hanover*, and that becauſe by the Union-Act, the two Crowns are joined together, and *Scotland* and *England* made one Nation or Kingdom; So that, as things now ſtand, they who Swear to ſupport and Maintain the Succeſſion of the *Engliſh* Crown as ſettled and Entailed in the ſaid Acts, do thereby Swear to Maintain and Support the Succeſsion of the *Scottiſh* Crown in the Family of *Hanover*: And on the other hand, if we had Sworn to Maintain the Succeſsion of the *Scotiſh* Crown in the Family of *Hanover*, we had thereby Sworn to Maintain the Succeſsion of the *Engliſh* Crown as the ſame is and ſtands Limited and Entailed by the two foreſaid *Acts*. It was not Judged Requiſite then, that the Succeſsion of the Crown, in ſo far as it belongs to *Scotland*, ſhould be mentioned in the *Abjuration*, becauſe by the Union the *Scots* went in to the *Hanover Succeſſion*, as Settled and Entailed by the ſaid *Engliſh Acts*, and thereby the *Engliſh* became alſo the *Scotiſh* Succeſsion.

2. If by *Succeſſion of the Crown* in the Abjuration, we underſtand *Succeſſion of the Britiſh Crown*, the difficulty will not be ſo great, as ſome People imagine, and there will be no neceſsity of ſuppoſing, that the Takers of the Abjuration affirm in that Oath, that the Succeſsion of the Crown in ſo far as it belongs to *Scotland*, was ſettled and Entailed by the two foreſaid Acts of the *Engliſh* Parliament before the Union. For the Sentence in the Abjuration we are ſpeaking of, viz. *And I do Faithfully promiſe, to the utmoſt of my Power, to ſupport, Maintain and Defend the Limitation and Succeſſion of the Crown, as the ſame is, and ſtands ſettled by an Act Intituled, &c.* And *as the ſame, by one other Act Intituled, &c. Is and ſtands ſettled and Entailed*, &c. May very well be Paraphraſed after this manner, viz. *And I do Faithfully promiſe, to the utmoſt of my Power, to ſupport, Maintain and Defend the Limitation and Succeſſion of*

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the British *Crown, as the same, viz.* With Respect to that part of it which is English, *is and stands settled and Entailed by an Act Intituled, &c.* And that this Sentence must be thus Paraphrased, is evident, because all words, whither of Private persons or others, must be taken in a Sense agreeable to Truth and matter of Fact (if the Tenor of the Discourse will allow it) which these words would not, if Paraphrased the other way: And if any take the words of any Person or Persons in a Sense which cannot agree with matter of Fact, or imports a Falsity, when in the mean time they may as Commodiously be taken in a Sense which will not contradict the Truth, they do not deal Candidly. Now the Paraphrasing that Sentence after this manner, will be so far from being an offering Violence to the Words, that this way of Paraphrasing Sentences of that nature, is ordinary and altogether necessary. For all Words which relate to Different things (as *Crown* here, which relates both to *England* and *Scotland*) must be Restricted to that part, with which that which is asserted doth quadrate. Thus in that Sentence *God so Loved the World, &c.* Seeing *World* has relation to two Parties, the *Elect* and *Reprobate*, the Words must be understood thus, *GOD so Loved the World, with respect to the Elect Party therein*, the Reason is, because the Love of GOD quadrats only with the Elect party in the World. Thus also, *GOD sent furth his Son made of a Woman*, must be Paraphrased after this manner, *GOD sent forth his Son made of a Woman*, viz. *With respect to his Humane Nature*, because if it were understood with Respect to his other Nature, it would be a Falsity and Contrary to matter of Fact. Neither is this way of speaking peculiar to Scripture, but is ordinary even in Common Discourse. Thus if it be said, *that Man is Mortal*, it must be understood *that he is Mortal with Respect to that part of him which is Material or Bodily.* And if it be said, *That the Sons of Men Inhabite that part of the World which is call'd the Earth*, it must not immediately be inferred, *that some of them dwell in the Sea among the Fishes*, but it must be said, that *they Inhabite the Earth viz.* That part of it which is separated from the Water. A

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hundreds of Examples of this kind might be inſtanced. In like-manner, if *Succeſſion of the Crown* in the Abjuration, be underſtood of the *Britiſh Crown*, theſe Words, *As the ſame is and ſtands Settled and Entailed in the two Acts*, muſt be underſtood with reſpect to that part of the *Britiſh* Crown, which is *Engliſh*. Wherefore there is no more Reaſon for fixing a Falſity on the foreſaid Sentence of the Abjuration, than there is for aſſerting, that there is a Falſity in that Sentence of *Paul's*, *Gal:* 4. 4. And if they who take the Abjuration, Swear to maintain the Succeſſion of the *Britiſh* Crown, as the ſame, with reſpect to that part of it which is *Engliſh*, is Settled and Entailed in two before ſaid Acts, no more can be requir'd of them with reſpect to that particular. And therefore, there was no neceſſity, and it was not worth the Parliaments while, to alter the Words of the Abjuration, in order to adapt it the more to our State after the Union.

FINIS.